

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1( b)**

Denise Carlon, Esquire  
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U.S. BANK NATIONAL ASSOCIATION FOR THE  
HOLDERS OF THE TERWIN MORTGAGE TRUST  
2005-11, ASSET-BACKED SECURITIES, SERIES  
2005-11

In Re:

Frank Cear

DEBTOR(S),



Order Filed on November 13, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 13-35225 KCF

Chapter: 13

Hearing Date: 11/08/2017

Judge: Kathryn C. Ferguson

**ORDER VACATING STAY**

The relief set forth on the following page is hereby ordered **ORDERED**.

**DATED: November 13, 2017**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

Upon the motion of U.S. BANK NATIONAL ASSOCIATION FOR THE HOLDERS OF THE TERWIN MORTGAGE TRUST 2005-11, ASSET-BACKED SECURITIES, SERIES 2005-11, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as 5 Erin Drive, Jackson NJ 08527**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

*rev. 7/12/16*